

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PRESTON CATCHINGS,

Plaintiff,

v.

MR. MORZOLF, et al.,

Defendants.

Civil Action No. 06-235 Erie

MEMORANDUM ORDER

AND NOW, this 8th day of January, 2007, and upon review, *nunc pro tunc*, of Plaintiff's untimely filed objections [Doc. No. 18] to Magistrate Judge Susan Paradise Baxter's report and recommendation dated December 12, 2006 [Doc. No. 17], recommending that Plaintiff's complaint be dismissed without prejudice to Plaintiff's right to pay the filing fee of \$350.00 before December 30, 2006, the following order is entered:

IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED with prejudice for failure of Plaintiff to pay the filing fee of \$350.00 before December 30, 2006.

The Report and Recommendation [Doc. No. 17] of Magistrate Judge Baxter, filed on December 12, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge